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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2020-00360 |
| The applicant was discharged on 10 May 2011 in accordance with AFI 36-3208 with a General discharge for Misconduct (Minor Infractions). The applicant appealed for an upgrade of her discharge characterization to Honorable. The board was conducted on 18 Jun 2020.  The applicant was offered a personal appearance before the Discharge Review Board (DRB), but declined and requested the board be completed based on a records only review. The applicant was not represented by counsel.  Pursuant to 10 USC §1553, the board included a member who is a psychiatrist/ psychologist with training on mental health issues connected with post-traumatic stress disorder (PTSD) or traumatic brain injury (TBI), and training on mental health disorders.  The attached examiner’s brief (provided to applicant only), extracted from available service records, contains pertinent data regarding the circumstances and character of the applicant’s military service.    FINDING: The DRB voted unanimously to *deny* the applicant’s request to upgrade her discharge characterization to Honorable.  DISCUSSION: The DRB, under its responsibility to examine the propriety and equity of an applicant’s discharge, is authorized to change the characterization of service and the narrative reason for discharge if such changes are warranted. If applicable, the board can also change the applicant’s reenlistment eligibility code. In reviewing discharges, the board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence to rebut the presumption, to include evidence submitted by the applicant. The board completed a thorough review of the circumstances that led to the discharge and the discharge process to determine if the discharge met the pertinent standards of equity and propriety.  The applicant’s record of service included an Article 15 and multiple Letters of Reprimand. Her misconduct included: failure to report for duty on multiple occasions and failure to obey orders.  Due to evidence of mental health conditions found in the applicant’s medical record, the board considered the case based on the liberal consideration standards required by guidance from the Office of the Under Secretary of Defense for Personnel and Readiness and/or 10 USC §1553.  The applicant contended the discharge was improper because her infractions were minor and were related to physical conditions as well as mental health conditions that were not properly diagnosed and rehabilitated, despite her numerous attempts to seek resolution for them. She also contends her self-identification for substance use should not have been used in her discharge action and that she was self-medicating because she was not getting the help and assistance she needed from her medical providers. A review of the applicant’s military record indicated she had multiple disciplinary infractions for failure to report to duty on time and failure to obey orders. She also self-identified to ADAPT for marijuana use.  After a thorough review of the service record and input from the board’s psychiatrist/ psychologist, the DRB found that the applicant’s mental health condition may have been a mitigating factor to the applicant's misconduct, however, it could not completely explain or excuse the misconduct sufficiently to warrant upgrading the discharge. Furthermore, the board determined there was no objective evidence to support the applicant’s claim that she used drugs to self-medicate her mental health symptoms. Finally, the applicant was discharged with a general discharge with misconduct as the primary basis. IAW AFI 36-3208, evidence furnished by the member in connection with initial entry into ADAPT may be used to establish a basis for discharge, however, it may not be considered when determining how the Airman’s service should be characterized. The DRB determined that, through the administrative actions taken by the chain of command in this case, the applicant had ample opportunities to change her negative behavior. The board concluded the negative aspects of the applicant’s service outweighed the positive contributions she made during her Air Force career.  CONCLUSION: The board found insufficient evidence of an inequity or impropriety that would warrant a change to the applicant’s discharge. Therefore, the discharge received by the applicant was deemed to be appropriate and her request was not approved.  The DRB results were approved by the board president on 24 Jun 2020. If desired, the applicant can request a list of the board members and their votes by writing to:  Air Force Review Boards Agency  Attn: Discharge Review Board  3351 Celmers Lane  Joint Base Andrews, NAF Washington, MD 20762-6602  Attachment: Examiner's Brief (Applicant Only) | |